

COUNCIL AGENDA ITEM # ____ FOR
TUESDAY, March 23rd, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

March 18, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 7202-7204 North Loop Drive (Rep. District #3)

Scheduling a public hearing to be held on April 27th, 2004 to determine if the property located at 7202-7204 North Loop Drive in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of February 11, 2004, Gonzalo Gonzalez, owner, 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, owner, 7221 North Loop Drive, El Paso, Texas 79915, has been notified of the violations at this property. District #3

CITY OF EL PASO
2004 OCT 18 PM 1 54

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of April, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7202-7204 North Loop Drive, in El Paso, Texas, which property is more particularly described as:

Lots: 2 and 3, Block 6, Stiles Gardens

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gonzalo Gonzalez (Owner), 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, 7221 North Loop Drive, El Paso, Texas 79915, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

JOE WARDY
MAYOR



BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
December 15, 2003

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413

Re: 7202-7204 North Loop Dr.
Lot: W PT OF 3 EXC (N PT)
& 2 EXC (N PTS)
Blk: 6, Stiles Gardens
Zoned: A-2
C0D03-18274
Certified Mail Receipt #
7003 1680 0000 1711 7817

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

7202-7204 North Loop Dr.

- c. Boarded up, fenced, or otherwise secured in any manner in if:
 - i. The building constitutes a danger to the public even though secured entry, or
 - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at **7202-7204 North Loop Dr.** has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

7202-7204 North Loop Dr.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

A handwritten signature in cursive script that reads "Wayne Fannin".

Wayne Fannin
Building Inspector

WF/rvj

7003 1680 0000 1711 7817

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$		Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)	DEC 17 2003	
Restricted Delivery Fee (Endorsement Required)		

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413
Re: 7202-7204 North Loop Dr.

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: **WF**

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413
Re: 7202-7204 North Loop Dr.

LA #3

2. Article Number (Transfer from service label) **7003 1680 0000 1711 7817**

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY


A. Signature **X** ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

 **The City of El Paso**
Two Civic Center Plaza
El Paso, Texas 79901-1196
Building Permits and Inspections
Code Enforcement

CERTIFIED MAIL™



7003 1680 0000 1711 7817

RETURN RECEIPT REQUESTED

NOT RECORDED

15

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413

79915+241580171196

Tidemark Advantage

File Edit Window View Help

Code Enforcement

Name: GONZALEZ, JOSE L Updated: 12/9/2003 RVJ

Address: 7284 N LOOP BR

Description: Master # COD03-18274 Project: []

OPEN AND ABANDONED

Activity Log

Description	Menu Code	Date1	Date2	Date3	Step	Done By	Notes
Complaint Received	A0010			12/9/2003		RVJ	
Enforcement Inv Repor A5				12/9/2003			
Refer to Fire	B0040	1/8/2004	1/8/2004	1/26/2004	DONE	S36	THIS STRUCTURE IS

View / Edit Activity

Activity: B040 Desc: Refer to Fire Updated: 3/16/2004 WBF

Disposition: DONE Hold Level: No hold

Dates

Date Referred: 1/8/2004 Calendar Tag: FDCM

Date Received: 1/8/2004 Report Tag: []

Date Completed: 1/26/2004 Assigned To: S36

Done By: S36

Notes:

STORY STRUCTURE HAS BEEN VACCANT FOR SEVERAL YEARS. THIS STRUCTURE IS A LIFE HEALTH AND SAFETY HAZARD. STRUCTURE MUST BE SECURED, AND KEPT SECURED, UNTIL DEMOLITION CAN BE CARRIED OUT.

Sign Off

Date 2

OK

Help

Cancel

View/Add Activities

Start Tidemark Ad... Inbox Microso... Krt Rd. 315 (Fr... Document2 ... 8:21 AM

THIS STRUCTURE IS A TWO STORY MASONRY STRUCTURE WITH A DETACHED GARAGE. BOTH STRUCTURE AR EOPEN AND UNSECURED THERE ARE BAGS OF TRASH AT FRONT ENTRANCE . THERE IS EVIDENCE OF VANDALISM. THE STRUCTURE HAS FIRE DAMAGE TO SECOND STORY.STRUCTURE HAS BEEN VACCANT FOR SEVERAL YEARS. THIS STRUCTURE IS A LIFE HEALTH AND SAFETY HAZARD. STRUCTURE MUST BE SECURED, AND KEPT SECURED, UNTIL DEMOLITION CAN BE CARRIED OUT.


EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

M E M O R A N D U M

DATE: December 23, 2003

MEMO TO: Tom Maguire, Housing Compliance Supervisor

FROM: Jorge Ramirez, Sr. Environmental Health Inspector 

SUBJECT: Condemnation Report

RE: 7202-04 N. Loop Dr. 79915

An inspection of the property was conducted on December 23, 2003 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA:
N/A

SECTION 9.04.340 - ACCUMULATIONS:
Of debris was seen.

SECTION 9.16 - NUISANCE:
N/A

SECTION 9.16.010 - DESIGNATED:
N/A

SECTION 9.28 - RAT CONTROL:

The property consists of 3 structures and mobile homes. Two of the structures are decaying and vacant. The other structure is occupied. The mobile homes are occupied. The property used to be a mobile home park with several apartments.

Note: No health hazard note.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

ATV OF EL PASO

703

RECEIVED - ENVIRONMENTAL HEALTH

20040212 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 081550

ACCOUNT S65899900600400
UNITS:01 05 06 07 08
GONZALEZ, JOSE L

AMT DUE AS OF: 20040212 ROLL R ALT OWN
OMIT(-)/SEL(+)
6 STILES GARDENS
W PT OF 3 (HOMESITE)
(0.016 ACRE)

7202 NORTH LOOP DR

EL PASO		TX 79915-2413		PARCEL ADDRESS		7202	-7204	N LOOP D	
ACRES	.0161								
YEAR	GROSS VAL	HOVDFAER	RCVL	LEVY	REM	LEVY	FEEES	PAYMENTS	TOTAL DUE
2003	16015	XX		45.48	01/06/2004			45.48	.00
2002	16015	YY		44.91	01/23/2003			44.91	.00
2001	16015	YY		44.68	01/06/2004			44.68	.00
2000	16015	YY		44.07	01/17/2001			44.07	.00
1999	16015	YY		43.00	01/20/2000			43.00	.00
1998	16015	YY		43.00	01/21/1999			43.00	.00
1997	16015	YY		43.32	01/16/1998			43.32	.00

TOTAL		.00	.00	.00	PAGE TOTAL		.00	
LAST PAYOR OWNER						CUMULATIVE TOTAL		.00
NOTE EXISTS								
ENTER NEXT ACCOUNT								



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 12/08/03

REP. DISTRICT: 3

ADDRESS: 7202-7204 North Loop Drive

ZONED: A-2

LEGAL DESCRIPTION: Lots 2 and 3, Block 6, Stiles Gardens

OWNER: Gonzalo Gonzales

BUILDING USE: Single-family residence

TYPE OF CONSTRUCTION: III

FOOTINGS: Concrete

CONDITION: Poor – must hire a structural engineer to evaluate the footings and submit documentation on necessary corrections to make building safe.

FOUNDATION WALL: N/A

CONDITION: N/A

FLOOR STRUCTURE: Concrete slab on grade

CONDITION: Poor – signs of stress and structural failure. Must hire a structural engineer to evaluate the floor structure and submit documentation on necessary corrections to make building safe.

EXTERIOR WALLS: Adobe

HEIGHT: 7' 6"

THICKNESS: 12"

CONDITION: Poor – must hire a structural engineer to evaluate the exterior walls and submit documentation on necessary corrections to make building safe.

INTERIOR WALLS & CEILINGS: 2" x 4" wood studs with sheetrock

CONDITION: Poor

ROOF STRUCTURE: 2" x 6" wood rafters with built-up asphalt material
CONDITION: Poor – signs of roof deterioration and leaks visible through ceiling

DOORS, WINDOWS, ETC.: Wood doors, wood sash windows
CONDITION: Poor – do not open or broken

MEANS OF EGRESS: Does not meet code requirements
CONDITION: Poor

PLUMBING: No service – must hire a licensed plumbing contractor to evaluate the plumbing system and submit documentation on necessary corrections.

ELECTRICAL: No service – must hire a licensed electrical contractor to evaluate the electrical system and submit documentation on necessary corrections.

MECHANICAL: No service – must hire a licensed HVAC system and submit documentation on necessary corrections.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: This single-family dwelling was found open and abandoned. It is being used as a place of harborage by vagrants. It is recommended that this structure be secured until demolition can take place.

A handwritten signature in black ink, appearing to read "Wayne Fannin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Wayne Fannin
Building Inspector

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of April, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7202-7204 North Loop Drive, in El Paso, Texas, which property is more particularly described as:

Lots: 2 and 3, Block 6, Stiles Gardens

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gonzalo Gonzalez (Owner), 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, 7221 North Loop Drive, El Paso, Texas 79915, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

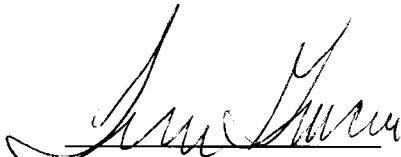
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.


According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 23rd day of March, 2004.

APPROVED AS TO FORM:


Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:


R. Alan Shubert, P. E.
Building Permits and Inspections Director